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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 0589

DEPUTY

UNITED STATES OF AMERICA,

Plaintiff,

v.

Ma. Guadalupe CASTRILLON-Aguilera
AKA: Guadalupe CASTRILLON-Martinez

Defendant,

Magistrate Case No. _____


COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section
1324(a)(1)(A)(iv)-Inducing and
Encouraging Illegal Aliens
To Enter the United States

The undersigned complainant being duly sworn states:

On or about **February 27, 2008**, within the Southern District of California, defendant **Ma. Guadalupe CASTRILLON-Aguilera, AKA: Guadalupe CASTRILLON-Martinez**, did encourage and induce an alien, namely **Nicolasa AMADOR-De Brenes** with the intent to violate the immigration laws of the United States, to come to, enter and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entry and residence in the United States is and will be in violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iv).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
Sara Esparagoza, United States Customs
and Border Protection Enforcement Officer

Sworn to before me and subscribed in my presence, this **28th** day of **February, 2008**.


UNITED STATES MAGISTRATE JUDGE

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PROBABLE CAUSE STATEMENT

The complainant states that **Nicolasa AMADOR-De Brenes** is a citizen of a country other than the United States; that said alien has admitted she is deportable; that her testimony is material; that it is impracticable to secure her attendance at trial by subpoena; and that she is a material witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On February 27, 2008, at about 5:12 AM, **Ma. Guadalupe CASTRILLON-Aguilera, AKA: Guadalupe CASTRILLON-Martinez (Defendant)** made application for admission into the United States at the San Ysidro Port of Entry as the driver of a 1996 Ford Explorer. Two visible female passengers accompanied Defendant. Upon inspection before a Customs and Border Protection (CBP) Officer, Defendant presented an I-551 Permanent Resident card bearing the name Maria T MORQUECHO de Arroyo. Defendant also presented two other I-551 Permanent Resident cards, one bearing the name Eva LOPEZ Garcia and the other bearing the name Maria E RODRIGUEZ on behalf of the two female passengers. Defendant told the CBP Officer that they were on their way to work in San Diego, California. The CBP Officer noticed that the images on the documents did not resemble any of the passengers in the vehicle and suspected Defendant and passengers were imposters to the documents. The CBP Officer subsequently elected to escort the vehicle and its occupants to secondary for a more thorough inspection.

In secondary, Defendant was determined to be an impostor to the document she presented. Defendant was determined to be a citizen of Mexico having been previously removed from the United States. The two female passengers were also determined to be imposters to the documents presented. Both admitted they are citizens of Mexico without legal documents to enter the United States. One of the female passengers was retained as a material witness and is now identified as **Nicolasa AMADOR-De Brenes (Material Witness)**.

Defendant was advised of her Miranda rights and agreed to submit to questioning without benefit of counsel. A videotaped interview was obtained from Defendant who gave the following declaration: Defendant admitted she had knowledge the two passengers were not entitled to the entry documents presented. Defendant further admitted she attempted to smuggle said females across the border. Defendant claims that she agreed to drive the vehicle into the United States and deliver the vehicle and passengers to an unknown smuggler who would be waiting in Chula Vista, California. Defendant stated that, in return, she would be excluded from paying the full amount of the \$4,000.00 USD smuggling fee.

On a separate videotaped interview, Material Witness declared she is a citizen of Mexico without legal documents to enter the United States. Material Witness stated her husband was going to pay unknown smugglers \$4,000.00 USD for her to be smuggled into the United States. Material Witness stated she was going to Palm Springs, California to seek residency and employment.